

LDIR#126

MUNICIPAL

CODE

REVISION

1963 1964

February 24, 1965

MEETING
SENATE LOCAL GOVERNMENT COMMITTEE

LEGISLATORS' QUESTIONS ON SENATE BILL NO. 101

ANSWERS PROVIDED BY LOCAL AFFAIRS AGENCY

Q. 29.23.150. What is the difference between the assembly presiding officer and the chairman?

A. The chairman is the elected chief executive of the borough. He is not a member of the assembly. The presiding officer is a member of the assembly. He is selected by the assembly to preside at assembly meetings.

Q. 29.23.210(c). Is this section intended to apply to a home rule city which varies the number of councilmen? Would three members still constitute a quorum?

A. Sec. 29.23.210 applies to general law municipalities only.

Q. 29.23.250. Does the word "vote" mean "voter?"

A. Yes.

Q. 29.23.260. What is the reason for the distinction in this section between a mayor of the first class and a mayor of the second class?

A. The proposed code provides that the mayor of a second class city is a member of the council, since it is felt that there is no clear distinction between executive and legislative functions in the smaller cities. Under present law, a fourth class city (the proposed second class city) does not have a mayor. The council selects one of its members as presiding officer. The presiding officer is often called "mayor." Because of the larger scope of municipal administration permitted to first class cities, the code intends to encourage for those cities a more clearly-defined executive responsibility independent of the legislative function.

February 23, 1965

PART I

MEETING
SENATE LOCAL GOVERNMENT COMMITTEE

LEGISLATORS' QUESTIONS ON SENATE BILL NO. 101

ANSWERS PROVIDED BY LOCAL AFFAIRS AGENCY

Q. What are the major revisions in the proposed code?

A. The code is a consolidation of Title 7 (Boroughs) and Title 29 (Municipal Corporations) and portions of other titles. The proposed new title contains the basic law on municipal corporations, that is on cities and organized boroughs.

The code seeks to simplify and clarify existing state law on municipalities, as well as to improve its readability. Although all sectional numbers have been altered, the code contains few major substantive changes. The major changes concern city classification and incorporation, delineation of home rule limitations, clarification of borough assembly and school board relationships, collection of sales taxes, incurring of municipal debt, and alteration of municipal boundaries.

(29.08.010)

Q. With reference to the provision that a home rule municipality "has all legislative powers not prohibited by law or charter," may a home rule municipality under the proposed code do something which is not provided for in the statutes or do something differently than is provided for general law municipalities?

A. Sec. 29.13.100 of the proposed code specifically sets forth the provisions which bind home rule municipalities. In addition, the provisions themselves indicate whether or not they bind home rule municipalities. Except for the provisions set forth, home rule municipalities are not bound by the code and may act differently or not at all with respect to the requirements of the general law; in addition, they may act in a manner not provided at all under the general law. Presumably, the powers exercised by home rule municipalities would have to be within their jurisdiction and germane to the purposes for which the corporation was created. For a more extensive discussion of Alaska Home Rule, see Local Affairs Agency, Alaska Local Government, August, 1962.

February 23, 1965

PART II

MEETING
SENATE LOCAL GOVERNMENT COMMITTEE

LEGISLATORS' QUESTIONS ON SENATE BILL NO. 101

ANSWERS PROVIDED BY LOCAL AFFAIRS AGENCY

Q. 29.18.110(d) and 29.18.120(c). Is there a conflict in the provisions on election costs under these two sections?

A. No. AS 29.18.110(d) refers to the costs of incorporation elections; AS 29.18.120(c) to the costs of initial elections for municipal officers. To eliminate any confusion, the phrase "under this section" could be inserted on page 10 both at the end of the sentence on line 3 and between "costs" and "within" on line 25.

Q. 29.18.120(b). Is this to imply that the borough assembly members shall not require a petition signed by fifty qualified voters, or is that elsewhere in the Act?

A. The provision is contained in this section, page 10, lines 13-16.

Q. 29.18.120(b). Shouldn't provisions on school board members be contained in Title 14 instead of the Municipal Code? ✓

A. Since education is the major responsibility of organized boroughs and of cities (excluding fourth class cities) outside organized boroughs. The Agency feels that State law on the organization of municipal school systems should be part of the title on Municipal Government. Much of this law, including the provision in proposed AS 29.18.-120(b), is already in the Borough Act.

February 23, 1965

PART II

MEETING
SENATE LOCAL GOVERNMENT COMMITTEE

LEGISLATORS' QUESTIONS ON SENATE BILL NO. 101

ANSWERS PROVIDED BY LOCAL AFFAIRS AGENCY

Q. 29.18.110(d) and 29.18.120(c). Is there a conflict in the provisions on election costs under these two sections?

A. No. AS 29.18.110(d) refers to the costs of incorporation elections; AS 29.18.120(c) to the costs of initial elections for municipal officers. To eliminate any confusion, the phrase "under this section" could be inserted on page 10 both at the end of the sentence on line 3 and between "costs" and "within" on line 25.

Q. 29.18.120(b). Is this to imply that the borough assembly members shall not require a petition signed by fifty qualified voters, or is that elsewhere in the Act?

A. The provision is contained in this section, page 10, lines 13-16.

Q. 29.18.120(b). Shouldn't provisions on school board members be contained in Title 14 instead of the Municipal Code?

A. Since education is the major responsibility of organized boroughs and of cities (excluding fourth class cities) outside organized boroughs. The Agency feels that State law on the organization of municipal school systems should be part of the title on Municipal Government. Much of this law, including the provision in proposed AS 29.18.-120(b), is already in the Borough Act.

Greg Mackley Buckley
March 8, 1965

SENATE
LOCAL GOVERNMENT COMMITTEE

SB 101

PRESENT: SENATE LOCAL
GOVERNMENT COMMITTEE

SEN. HAROLD Z. HANSEN, CHAIRMAN
SEN. RICHARD PETER
SEN. GRANT PEARSON
SEN. EBEN HOPSON

OTHERS PRESENT:

SEN ROBERT McNEALY
REP. JOHN O'CONNELL
RONALD C. CEASE
S. ROBERT DOZIER
ROBERT DUPERE
JOSEPH HENRY
and others

Senator Harold Z. Hansen, Chairman of the Senate Local Government Committee, called the meeting to order. Senator Eben Hopson was acting secretary. The purpose of the meeting was to initiate committee action--proposed amendments, suggestions--on SB 101. Starting with the first section of the bill, the following action was taken by the committee:

[Asterisk (*) indicates that the section was adopted without change.]

29.03.010 *

29.03.020 *

29.08.010 - Line 25, after borough insert "of the first class."

29.08.020 *

29.08.030 *

29.08.040 - Line 9, between "city" and "is" insert "outside an organized borough."

Line 10, after the period add the following sentence: "A second class city within an organized borough may be reclassified as a first class city in the manner provided in (b) of this section for the reclassification of boroughs upon the determination of the Local Affairs Agency from the best figures available that the population of the city has reached 400 permanent residents."

March 16, 1965

SENATE
LOCAL GOVERNMENT COMMITTEE

SB 101

PRESENT: SENATE LOCAL
GOVERNMENT COMMITTEE

OTHERS PRESENT:

SEN. HOWARD POLLOCK, ACTING CHRMN.	GREG MACHYOWSKY
SEN. RICHARD PETER	ROBERT DUPERE
SEN. EBEN HOPSON	ROBERT DOZIER
SEN. GRANT PEARSON	RONALD CEASE
SEN. HAROLD HANSEN	and others

Senator Howard Pollock, Acting Chairman of the Local Government Committee, called the meeting to order. The business before the Committee was to continue Committee action on SB 101.

The Committee's attention was directed to a draft from the Local Affairs Agency relating to suggested organizational and substantive changes in Chapter 23 of SB 101 [see attached]. The Committee took the following action on these suggested changes:

ARTICLE 5. SCHOOL BOARD AND SCHOOL SUPERINTENDENT

Final action on Article 5 has been deferred pending further review of school provisions. However, the Committee adopted the following organizational change: [****** - indicates new section number]

29.23.310 - No change.

29.23.320 - No change.

29.23.330 - No change.

29.23.340 - No change.

****** 29.23.345 - New section added to code. [See attached Agency amendments.]

Line 11, Pg. 1, delete the word "professional".

ARTICLE 6. UTILITY BOARDS [Replaces "ARTICLE 6. EMPLOYEES".]

****** 29.23.350 - The Committee adopted this section as it appears in the attached Agency amendments.

Greg Mackowski

SENATE
LOCAL GOVERNMENT COMMITTEE
SUGGESTED AMENDMENTS TO SB 101

TUESDAY, FEBRUARY 23, 1965

[HANSEN - Entire Code] Proposes the use, throughout the entire bill, either of percentages or fractions.

[CEASE - 29.13.080] Questions the last sentence of that section: "Proposed amendments are ratified by a majority vote."

[ZIEGLER - 29.18.010] P. 6, Line 2, change "laying" to "lying."

[ZIEGLER - 29.18.120] Suggests that the last sentence in Sec (a) be reworded.

[POLLOCK - 29.08.010, Lines 26 and 27] Suggests the need for further clarification here, as to whether or not a home rule municipality can do anything that is not provided by law.

(CEASE: recommends that the phrase "of the first class" be inserted after "borough.")

[CEASE - 29.18.130] The citation in this section is incorrect. It should read "29.18.120" and not "29.18.-110."

[KILCHER - 29.18.180] Suggests that a similar provision be made when cities are mandatorily incorporated.

[KILCHER - 29.18.200] Suggests that the Agency also consider giving certain lands to mandatorily incorporated

OFFICE OF THE CITY ATTORNEY

CITY HALL - FAIRBANKS, ALASKA

BARRY W. JACKSON

January 24, 1962

RECEIVED
JAN 25 1962

ALASKA LEGISLATIVE COUNCIL
JUNEAU, ALASKA

Mr. John C. Doyle
Executive Director
Alaska Legislative Counsel
Box 2199
Juneau, Alaska

Dear Mr. Doyle:

In keeping with the national trend, municipal immunity for governmental functions appears to be on the way out in the State of Alaska. It has been under attack in our courts for many years and the trial courts here in three recent decisions by three different judges have denied the immunity. The most important case involved negligence in the conduct of fire fighting functions. In the case of Schaible vs. City of Fairbanks, plaintiff decedent was alleged to have lost her life because of the negligence of the City Fire Department in failing to rescue her. The plaintiff recovered and the case was appealed to the State Supreme Court. The briefs have been filed and the case will soon be decided. If the court upholds municipal immunity, I am sure that it will do so with a strong suggestion to the State legislature that legislative relief be given. I would expect that the legislature would probably give such relief.

As a home rule city under the Alaska Constitution our city council has "all legislative powers" and in my opinion, based upon examination of the minutes of the Local Government Committee of the Constitutional Convention, the city council can do anything that the state legislature could do insofar as the City of Fairbanks is concerned. Possible conflicts, handled in the other states through the state concern/local concern dichotomy, are handled under the Alaska Constitution by reserving to the State legislature the power to, in effect, supersede local ordinances. While the city council of a home rule city has all legislative powers, the legislature by law may take away any power from a home rule city. Under this home rule concept we believe that it is incumbent upon city councils to solve their own problems and not to resort to the legislature.

Further, our city council believes, as I do, that the governmental immunity doctrine should have no application to the City of Fairbanks and that, to the extent possible, any wrong done by the City, its officers or its employees should have an adequate

M E M O R A N D U M

TO: The Honorable Mayor and Members of the City Council
FROM: Barry W. Jackson, City Attorney
SUBJ: Ordinance No. 1131 - Tort Claims
DATE: January 12, 1962

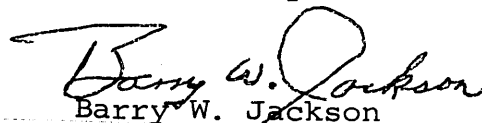
In accordance with the desire of the Council to consider a tort claims ordinance, Ordinance No. 1131 is herewith submitted for your consideration.

I recommend that the Council at this time do no more than to introduce the ordinance and place it in first reading. Passage of the ordinance in first reading and advancement should be delayed until the first regular meeting in March. This may be accomplished, after the reading of the ordinance, by tabling it until that meeting.

In the meantime copies of the proposed ordinance, as introduced, together with supporting materials will be sent to many persons and organizations. Among those who will be contacted and sent copies will be our current insurance carrier and other carriers who have done business with the city in the past or who have evinced an interest in doing business with the city. In addition to general comments they will be asked for their opinion as to the cost of the additional insurance which may be needed to protect the city, as well as alternate proposals for the tort claim ordinance in the event the additional cost under the proposed ordinance appears to be excessive. Also copies will be sent to the appropriate committees of the American Bar Association, National Institute of Municipal Law Officers, other national groups, the city attorneys of Alaskan cities, the members of the local Bar Association, the members of the Fairbanks Charter Commission, members of the Fairbanks delegation in the Alaska Legislature, and recognized authorities in the field of municipal law. I am requesting that they give us their views by the 28th of February, which should give us adequate time to obtain carefully thought out views and proposals.

A section by section commentary on the proposed ordinance is attached hereto.

Respectfully submitted,


Barry W. Jackson

real property in the City of Fairbanks

ALASKA
STATE LEGISLATURE

LEGISLATIVE COUNCIL

BOX 2199-JUNEAU

September 5, 1963

The Honorable William A. Egan
Governor of Alaska
State Capitol
Juneau, Alaska

Dear Governor Egan:

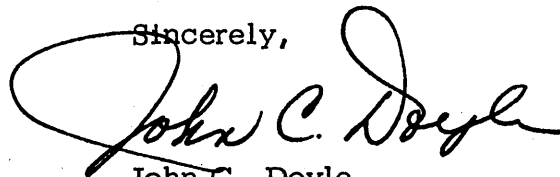
This is to acknowledge with thanks the receipt of two letters from you in reply to my queries regarding the plans of the Local Affairs Agency and Department of Law in carrying out a legislative request regarding a revision of the municipal code and the responsibility of boroughs for local roads.

Regarding the plans for a comprehensive revision of the municipal code which under the terms of HCR #14 was to be submitted by the Local Affairs Agency and the Department of Law to the Legislative Council for its formal and substantive review by December 1 of this year, the Council staff will proceed to cooperate with the agencies on revising selected areas which require attention now.

Your letter of August 27 on the subject of borough responsibility for local roads was in response to a query made through me by Representative Jack H. White. Copies of this letter have been sent to all members of the Legislature and a bulk supply has been given to the Local Affairs Agency and the Department of Highways.

Your cooperation is greatly appreciated.

Sincerely,



John C. Doyle
Executive Director

JCD:vd

September 24, 1963

National Institute of Municipal Law Officers
839 Seventeenth Street, N.W.
Washington 6, D. C.

Gentlemen:

I am studying the possibilities of revision in the statutes and procedures governing municipal corporations in the State of Alaska, and in this connection it would be most helpful to me to know if NIMLO can provide:

- (a) any handbook or guide to municipal ordinance drafting for use by municipal attorneys,
- (b) any formbook of standard municipal ordinances, and
- (c) specific ordinance forms relating to (1) election procedures for local governing bodies (e.g., petition, notice, ballot requirements) and (2) procedures governing deliberations of local governing bodies (e.g., quorum, voting, public hearing requirements).

Would you kindly forward any current publications list available.

Any assistance you may provide will be most appreciated.

Very truly yours,

John C. Doyle
Executive Director

By
Gregory Machyowsky
Legislative Counsel

GM/mh

September 24, 1963

Mr. Alfred Willoughby
Executive Director
National Municipal League
Carl H. Pforzheimer Building
47 East 68th Street
New York 21, New York

Dear Mr. Willoughby:

Study is being made in Alaska of the possible need of revisions in the state's municipal code. To this end the latest revised Model City Charter would of course be an especially pertinent source material. I understand, however, that the 1963 revision is not yet available in final published form; yet the study must be concluded soon.

Faced with this dilemma, I have spoken with Dr. Thor Swanson in the Governor's Office and he suggests my requesting any available duplicated copy of the charter from you.

Assuming it is available, I would be very appreciative of your providing such copy, even on a loan basis.

Very truly yours,

John C. Doyle
Executive Director

By
Gregory Machyowsky
Legislative Counsel

GM/ mh

cc: Dr. Thor Swanson
Office of the Governor
State Capitol

All-America City
of
ANCHORAGE



ALASKA

International
Polar air cross roads of the world

October 23, 1963

President
Alaska Municipal League
Thirteenth Annual Convention
Seward, Alaska

Dear Sir:

Under Section 5 of Article X of the Alaska Constitution, new special service areas cannot be created to provide special services for areas contiguous to incorporated cities within an organized borough, if the new service can be provided by an existing service area, by incorporation of the city, or by an annexation to a city.

The practical effect of this provision, after the state is organized into boroughs, will be that areas contiguous to existing cities must be eventually annexed if they are to be provided special services, unless a service area is established by the borough itself. In areas where there is one large center of population, such as in the area surrounding Anchorage, the practical solution would be by way of annexation.

A method for annexation must be provided whereby these areas contiguous to cities can be provided services and taxed for such services as the services are needed and as they can be, as a practical matter, provided by the city.

Power is presently vested in the local boundary commission under AS 44.19.260, which if modified by amendment, can include the power to provide for such gradual annexation.

All-America City
of
ANCHORAGE



ALASKA

International

Polar air cross roads of the world

October 23, 1963

President
Alaska Municipal League
Thirteenth Annual Convention
Seward, Alaska

Dear Sir:

In the 1962 case of City of Fairbanks v. Schaible, Op. No. 97, 375 P. 2d 201, the Supreme Court of Alaska held a municipality liable for injuries resulting from a negligence connected with the city's fire fighting activities. The court went on to say that a municipal corporation in Alaska does not enjoy immunity from tort liability, whether the act or omission giving rise to the liability is connected with either a governmental or proprietary function.

In the recent case of Scheele v. City of Anchorage, the Supreme Court declared that the governmental immunity abolished by the Schaible case was also abolished for all other pending cases, those not yet filed which are not barred by the Statute of Limitations, and all future causes of action.

Thus, under the decision of the Supreme Court of the State of Alaska, no limitation is placed upon the liability of a municipality, regardless of whether the function being exercised is governmental or proprietary. If any reasonable limitation is placed upon municipal liability, that limitation must come through specific legislation.

It should be understood that the tort immunity abolition of cities also applies to boroughs. And from that standpoint, this legislation is doubly needed to protect the finances of an embryonic borough.

STATE OF ALASKA

WILLIAM A. EGAN, GOVERNOR

OFFICE OF THE GOVERNOR

LOCAL AFFAIRS AGENCY / BOX 710—JUNEAU

November 6, 1963

RECEIVED
NOV 7 1963

ALASKA LEGISLATIVE COUNCIL
JUNEAU, ALASKA

Mr. John C. Doyle
Executive Director
Legislative Council
Box 2199
Juneau, Alaska

Dear Mr. Doyle:

Reference is made to the letter of Governor Egan addressed to you on August 21. The letter reads:

In view of the workload created by the formation of borough governments, the Local Affairs Agency will not be in position to prepare a comprehensive municipal code for review by the Second regular Session of the Third Legislature. However, pursuant to House Concurrent Resolution Number 14, I have directed the agency and the Department of Law to work with you in developing revisions of municipal and borough laws which are of critical importance and which will later be an integral part of the revised municipal code.

The press of other responsibilities limits the Agency to a review of the Borough Act and the development of suggested amendments. Daily Agency round-table discussions on the problem are being held. Participation of a Council staff member in these conferences is invited.

Your support is appreciated.

Sincerely,

Ronald C. Cease
Ronald C. Cease
Director

cc: Gary Thurlow
Dr. Baggen
Eben Hansen

STATE OF ALASKA

WILLIAM A. EGAN, GOVERNOR

OFFICE OF THE GOVERNOR

LOCAL AFFAIRS AGENCY / BOX 710—JUNEAU

November 6, 1963

RECEIVED
NOV 7 1963

ALASKA LEGISLATIVE COUNCIL
JUNEAU, ALASKA

Mr. John C. Doyle
Executive Director
Legislative Council
Box 2199
Juneau, Alaska

Dear Mr. Doyle:

Reference is made to the letter of Governor Egan addressed to you on August 21. The letter reads:

In view of the workload created by the formation of borough governments, the Local Affairs Agency will not be in position to prepare a comprehensive municipal code for review by the Second regular Session of the Third Legislature. However, pursuant to House Concurrent Resolution Number 14, I have directed the agency and the Department of Law to work with you in developing revisions of municipal and borough laws which are of critical importance and which will later be an integral part of the revised municipal code.

The press of other responsibilities limits the Agency to a review of the Borough Act and the development of suggested amendments. Daily Agency round-table discussions on the problem are being held. Participation of a Council staff member in these conferences is invited.

Your support is appreciated.

Sincerely,

Ronald C. Cease
Ronald C. Cease
Director

cc: Gary Thurlow
Dr. Baggen
Eben Hansen
George Taylor

January 2, 1964

Mr. Ronald C. Cease
Director
Local Affairs Agency
Office of Governor
State Capitol
Juneau, Alaska

Dear Ron:

I am attaching comments on revisions of Title 29 proposed by Ely, Guess, Rudd and Havelock (by Robert C. Ely) in their letters of November 27, 1963. Points 1, 3 and 4 in the commentary are especially called to your attention for consideration in connection with any selective or comprehensive revision of the Municipal Code. An Attorney General's opinion or legislative amendment clarifying the meaning of the provision discussed in point 4 is suggested.

Enclosed also are copies of letters acknowledging Mr. Ely's correspondence and requesting the Division of Insurance to study, with a view toward any appropriate action, the title insurance problem discussed in point 5.

Cordially,

JOHN C. DOYLE
EXECUTIVE DIRECTOR

By: _____
Gregory Machyowsky
Legislative Counsel

GM:vd
Encl.

January 2, 1964

Director
Division of Insurance
Department of Commerce
Alaska Office Building
Juneau, Alaska

Dear Sir:

The adequacy of present provisions of Alaska law relating to insurance of the tax deeds obtained through city foreclosure proceedings has been questioned in a communication to us, a copy of which is enclosed.

Preliminary consultation on the subject indicates there is disagreement as to whether the asserted difficulty results from inadequacies of the law (particularly the provisions for notice of foreclosure proceedings by publication only, AS 29.10.465, and the existing ten-year statute of limitations, AS 34.25.080) or results instead from lack of proper compliance with the law's prescribed procedures.

Your view as to whether any action is indicated, legislative or otherwise, will be appreciated.

Cordially,

JOHN C. DOYLE
EXECUTIVE DIRECTOR

By: _____
Gregory Machyowsky
Legislative Counsel

GM:vd
Encl.

October 23, 1963

American Bar Association
Section of Local Government Law
American Bar Center
1155 East Sixtieth Street
Chicago 37, Illinois

Gentlemen:

Would you kindly send any current list of publications that the Section of Local Government Law may have available.

I am interested in reviewing recent materials relating to county and municipal government and administration, particularly sample county and city charters; codes of basic ordinances (including administrative codes and specific ordinances relating to governing body organizations and procedures); manuals for county and municipal officials, and literature concerning revision of statutes governing municipal corporations.

An indication of what materials of this nature the Section has available for distribution will prove helpful and be very much appreciated.

Very truly yours,

JOHN C. DOYLE
EXECUTIVE DIRECTOR

By: _____
Gregory Machyowsky
Legislative Counsel

GM:vd

October 23, 1963

Mr. Herman Kehrl, Director
Bureau of Municipal Research
and Service
University of Oregon
Eugene, Oregon

Dear Mr. Kehrl:

Would you kindly send any current list of publications that the Bureau may have available.

I am interested in reviewing recent materials relating to county and municipal government and administration, particularly sample county and city charters; codes of basic ordinances (including administrative codes and specific ordinances relating to governing body organizations and procedures); manuals for county and municipal officials, and literature concerning revision of statutes governing municipal corporations.

An indication of what materials of this nature the Bureau has available for distribution will prove helpful and be very much appreciated.

Very truly yours,

JOHN C. DOYLE
EXECUTIVE DIRECTOR

By: _____
Gregory Machyowsky
Legislative Counsel

GM:vd

State municipal code?

October 22, 1964

Mr. Claude Millsap, Jr.,
Chairman
Greater Juneau Borough
P. O. Box 2644
Juneau, Alaska

Dear Mr. Millsap:

Re: Suggested legislation authorizing
municipal borrowing in anticipation
of taxes

I have taken the liberty of forwarding a copy of your letter of October 13 and the accompanying suggested draft to the Local Affairs Agency, which, in conjunction with the state Department of Law and in consultation with the staff of the Legislative Council, is preparing a revised municipal code for review by the Council. Possible inclusion of the suggested authority in the proposed revised code will thereby be considered both before and after preparation of the initial draft.

Adequate statutory authority to insure and promote the fiscal stability of Alaska municipalities is, of course, a central concern in the revision of the code, and your continuing interest and suggestions relating to this important topic are especially appreciated.

Very truly yours,

JOHN C. DOYLE
EXECUTIVE DIRECTOR

By: _____
Gregory Machyowsky
Legislative Counsel

GM:vd
Encl.

cc: Ronald C. Cease
Director, Local
Affairs Agency

Claude Millsap, Jr.
Chairman



*File in [unclear]
[unclear]*

January 2, 1964

Ely, Guess, Rudd and Havelock
202 Crawford Building
P. O. Box 1332
Anchorage, Alaska

ATTENTION: Robert C. Ely, Esq.

Gentlemen:

Re: Proposed revisions of Title 29,
Alaska Statutes, suggested in
letters of November 27, 1963.

Thank you for the suggested revisions of Title 29 you have so well outlined in your letters of November 27. We've studied the proposals and have taken the action most appropriate to each to insure careful consideration of the revisions urged. We shall also keep the proposals in mind for the bearing they may have on any comprehensive municipal code revision which may be undertaken and on any committee deliberations concerning local affairs which may take place at the forthcoming session of the Legislature.

Your providing us with a copy of the revised set of ordinances prepared for Seldovia would be much appreciated.

Cordially,

JOHN C. DOYLE
EXECUTIVE DIRECTOR

By: _____
Gregory Machyowsky
Legislative Counsel

GM:vd

September 29, 1964

Burr, Boney and Pease
Law Offices
204 Turnagain Arms
Anchorage, Alaska

Attn: L. S. Kurtz, Jr., Esq.

Re: Revision of Title 29, Alaska Statutes

Dear Mr. Kurtz:

The staff of the Legislative Council would certainly welcome any suggestions for revision of Title 29 which, as indicated in your letter of September 21, the Greater Anchorage Area Planning and Zoning Commission wishes to make. By terms of the House resolution requesting the revision (HCR #14, as amended, 1963), the Department of Law and the Local Affairs Agency are given initial responsibility for the preparation of a proposed formal and substantive revision, and the Legislative Council is to review that proposal.

The proposed revision has not yet been submitted to the Council, but it is currently in preparation. Members of the Council staff are assisting with the revision at the invitation of the Department of Law and the Local Affairs Agency. Since the initial work on planning and zoning powers has not yet been completed, it would be particularly helpful if your suggestions in this field could be submitted in the near future. However, any suggestions for revision will certainly be carefully considered whether submitted before or after the proposed revision is presented to the Council. It is anticipated that the presentation will be made no later than the end of this year.

Your interest and assistance in this very important undertaking is greatly appreciated.

Very truly yours,

John C. Doyle
Executive Director

By
Gregory Machyowsky
Legislative Counsel

GM/mh